



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

June 24, 2021

VIA ECF

Hon. Katherine P. Failla  
United States District Judge  
United States District Court  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: *Lin v. Nolan, et al.*, No. 21 Civ. 3932 (KPF)**

Dear Judge Failla:

This Office represents the government in this action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate his Application to Register Permanent Residence or to Adjust Status (Form I-485). On behalf of the government, I write respectfully to request an on-consent extension of time of forty-five days to respond to the complaint (*i.e.*, from July 12 to August 26, 2021). I also respectfully request that the initial conference presently scheduled for August 11, 2021 be adjourned to September 13, 2021 or thereafter, due to the proposed extended date for the government’s response to the complaint as well as the availability of counsel.

The extension is respectfully requested because USCIS has issued Requests for Evidence (“RFEs”) relating to the Form I-485, and plaintiff’s counsel has informed me that responses to the RFEs are expected to be submitted to USCIS in approximately the next week. The government anticipates that the requested extension will provide adequate time for USCIS to review the RFE responses and determine what next steps may be necessary or proceed to take adjudicative action, which potentially would render this action moot. This is the government’s first request for an extension of the deadline to respond to the complaint and to adjourn the initial conference. Plaintiff consents to these requests.

I thank the Court for its consideration of this letter.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

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cc: Counsel of record (via ECF)

Application GRANTED. The Government shall respond to the Complaint on or before **August 26, 2021**. The initial pretrial conference scheduled for August 11, 2021, is ADJOURNED to **September 15, 2021, at 12:00 p.m.**

Dated: June 25, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE